UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|---|---|---|---|
| 10/542,947 | 07/21/2005 | Makoto Nishizaki | 2005-1122A | 5778 |

52349 7590 03/10/2010

WENDEROTH, LIND & PONACK L.L.P.
1030 15th Street, N.W.
Suite 400 East
Washington, DC 20005-1503

| EXAMINER | |
|---|---|
| GODBOLD, DOUGLAS | |

| ART UNIT | PAPER NUMBER |
|---|---|
| 2626 | |

| NOTIFICATION DATE | DELIVERY MODE |
|---|---|
| 03/10/2010 | ELECTRONIC |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ddalecki@wenderoth.com
eoa@wenderoth.com

| Office Action Summary | Application No. | Applicant(s) | |
|---|---|---|---|
| | 10/542,947 | NISHIZAKI ET AL. | |
| | Examiner | Art Unit | |
| | DOUGLAS C. GODBOLD | 2626 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *11 December 2009*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *56-63 and 65-72* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *56-63 and 65-72* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

## DETAILED ACTION

1. This Office Action is in response to correspondence filed 11 December 2009 in reference to application 10/542,947. Claims 56-63, and 65-72 are pending and have been examined.

### *Response to Amendment*

2. The amendment filed 11 December 2009 has been accepted and considered in this office action. Claims 56-62, and 65-72 have been amended, and claims 55 and 73 cancelled.

### *Response to Arguments*

3. Applicant's arguments with respect to claims 56-63, and 65-72 have been considered but are moot in view of the new ground(s) of rejection.

### *Claim Rejections - 35 USC § 103*

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

2. Claims 56 and 65 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baker (U.S. Pub. No. 2004/0190687), in view of Kivimaki (U.S. Patent No. 7,174,295 B1) and further in view of Tognazzi (US Patent 5,850,211).

3. Regarding claims 56 and 65, Baker teaches a voice output apparatus and method comprising:

a text display unit operable to display a text message which is information to be transmitted to a user and a voice output unit operable to output, via a voice message, the information to be transmitted (the speech recognition unit performs processing and the output of the speech recognition unit is proceeded to the human call center operator, preferably by way of text proved on a display and at the same time (or just before or after the text is provided on the display) the caller's recorded utterances are audibly provided to the human call center operator, (Paragraph 44));

However, Baker fails to teach a voice output apparatus and method comprising a delay determination unit operable to determine a delay time according to a form of the text message displayed by said text display unit wherein a voice output unit operable to output, via voice message, the information to be transmitted, when the delay time determined by said delay determination unit passes after the text message is displayed by said display unit.

Kivimaki teaches, in analogous art, the concept of inserting a delay into a text to speech system wherein the delay can be varied in dependence on the number of words and characters in a text group (Column 6 lines 9-14 and lines 47-52) The delay of Kivimaki meets the two requirements of the claims; requirement 1) because even if the delay is based on processing speed of the text to speech conversion, this will be affected by the number of words that are displayed, which is part of the form. It is not

specifically stated how the delay time in requirement 2) is determined and therefore this requirement is non-functional descriptive language. Given this interpretation, A delay based on processing times, as the applicant has stated as the teaching of Kivimaki, could in fact be equal to a time necessary for a user to visually identify the message, meeting the requirement of the claim.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to further include the concept of varied delay disclosed in Kivimaki with the voice output apparatus disclosed in Baker in order to make the system more user friendly by allowing the user to read the entire text message without interruption. More specifically, the delay would control the time period "just after" the text provided on the screen is displayed at which time the "caller's recorded utterances are audibly provided" and the display mode corresponds to the length of the text displayed. While the examiner understands that Kivimaki outputs the voice in "blocks," it is noted that all of these blocks occurs after the first delay, and therefore meets the requirement that the entire representation be outputted only after the delay.

Baker and Kivimaki do not teach:

wherein said delay determination unit: determines that the delay time should be short in a case where a size of characters in the text message displayed by said text display unit is large; and

determines that the delay time should be long in a case where the size of the characters is small.

In the same field of computer control, Tognazzi suggests wherein said delay determination unit: determines that the delay time should be short in a case where a size of characters in the text message displayed by said text display unit is large; and determines that the delay time should be long in a case where the size of the characters is small (Column 2 line 15 – column 3 line 15, functions of a computer, particularly scrolling is controllable as a function of eye gaze. Clearly the size of a text would affect how long it took a user to "find" a text, and therefore affect eye gaze.)

Therefore it would have been obvious to one of ordinary skill In the art to control the determination unit of Baker and Kivimaki witch an eye gaze input as taught by Tagnazzi in order to allow for control of the computer requiring no overt actions by the user (Tagnazzi column 2 line 25).

4. Regarding claims 57 and 66, Baker teaches a voice output apparatus and method comprising:

a text display unit operable to display a text message which is information to be transmitted to a user and a voice output unit operable to output, via a voice message, the information to be transmitted (the speech recognition unit performs processing and the output of the speech recognition unit is proceeded to the human call center operator, preferably by way of text proved on a display and at the same time (or just before or after the text is provided on the display) the caller's recorded utterances are audibly provided to the human call center operator, (Paragraph 44));

However, Baker fails to teach a voice output apparatus and method comprising a delay determination unit operable to determine a delay time according to a form of the text message displayed by said text display unit wherein a voice output unit operable to output, via voice message, the information to be transmitted, when the delay time determined by said delay determination unit passes after the text message is displayed by said display unit.

Kivimaki teaches, in analogous art, the concept of inserting a delay into a text to speech system wherein the delay can be varied in dependence on the number of words and characters in a text group (Column 6 lines 9-14 and lines 47-52) The delay of Kivimaki meets the two requirements of the claims; requirement 1) because even if the delay is based on processing speed of the text to speech conversion, this will be affected by the number of words that are displayed, which is part of the form. It is not specifically stated how the delay time in requirement 2) is determined and therefore this requirement is non-functional descriptive language. Given this interpretation, A delay based on processing times, as the applicant has stated as the teaching of Kivimaki, could in fact be equal to a time necessary for a user to visually identify the message, meeting the requirement of the claim.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to further include the concept of varied delay disclosed in Kivimaki with the voice output apparatus disclosed in Baker in order to make the system more user friendly by allowing the user to read the entire text message without interruption. More specifically, the delay would control the time period "just after" the

text provided on the screen is displayed at which time the "caller's recorded utterances are audibly provided" and the display mode corresponds to the length of the text displayed. While the examiner understands that Kivimaki outputs the voice in "blocks," it is noted that all of these blocks occurs after the first delay, and therefore meets the requirement that the entire representation be outputted only after the delay.

Baker and Kivimaki do not teach:

wherein said delay determination unit: determines that the delay time should be long in a case where a distance between a focal point and characters in the text message displayed by said text display unit is long, the focal point being set on said text display unit for attracting the user's attention; and determines that the delay time should be short in a case where the distance is short.

In the same field of computer control, Tognazzi suggests wherein said delay determination unit: determines that the delay time should be long in a case where a distance between a focal point and characters in the text message displayed by said text display unit is long, the focal point being set on said text display unit for attracting the user's attention; and determines that the delay time should be short in a case where the distance is short. (Column 2 line 15 – column 3 line 15, functions of a computer, particularly scrolling is controllable as a function of eye gaze. Clearly a focal point would affect how long it took a user to “find” a text, and therefore affect eye gaze.)

Therefore it would have been obvious to one of ordinary skill In the art to control the determination unit of Baker and Kivimaki witch an eye gaze input as taught by

Tagnazzi in order to allow for control of the computer requiring no overt actions by the user (Tagnazzi column 2 line 25).

5. Regarding claims 58 and 67, Baker teaches a voice output apparatus and method comprising:

a text display unit operable to display a text message which is information to be transmitted to a user and a voice output unit operable to output, via a voice message, the information to be transmitted (the speech recognition unit performs processing and the output of the speech recognition unit is proceeded to the human call center operator, preferably by way of text proved on a display and at the same time (or just before or after the text is provided on the display) the caller's recorded utterances are audibly provided to the human call center operator, (Paragraph 44));

However, Baker fails to teach a voice output apparatus and method comprising a delay determination unit operable to determine a delay time according to a form of the text message displayed by said text display unit wherein a voice output unit operable to output, via voice message, the information to be transmitted, when the delay time determined by said delay determination unit passes after the text message is displayed by said display unit.

Kivimaki teaches, in analogous art, the concept of inserting a delay into a text to speech system wherein the delay can be varied in dependence on the number of words and characters in a text group (Column 6 lines 9-14 and lines 47-52) The delay of Kivimaki meets the two requirements of the claims; requirement 1) because even if the

delay is based on processing speed of the text to speech conversion, this will be affected by the number of words that are displayed, which is part of the form. It is not specifically stated how the delay time in requirement 2) is determined and therefore this requirement is non-functional descriptive language. Given this interpretation, A delay based on processing times, as the applicant has stated as the teaching of Kivimaki, could in fact be equal to a time necessary for a user to visually identify the message, meeting the requirement of the claim.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to further include the concept of varied delay disclosed in Kivimaki with the voice output apparatus disclosed in Baker in order to make the system more user friendly by allowing the user to read the entire text message without interruption. More specifically, the delay would control the time period "just after" the text provided on the screen is displayed at which time the "caller's recorded utterances are audibly provided" and the display mode corresponds to the length of the text displayed. While the examiner understands that Kivimaki outputs the voice in "blocks," it is noted that all of these blocks occurs after the first delay, and therefore meets the requirement that the entire representation be outputted only after the delay.

Baker and Kivimaki do not teach:

wherein said delay time determination unit: determines that the delay time should be short in the a case where a contrast between a color at a position on said text display unit and a color of characters in the text message is large, such that the user's

attention is drawn to the position on said text display unit as a result of the contrast; and determines that the delay time should be long in a case where the contrast is small.

In the same field of computer control, Tognazzi suggests wherein said delay time determination unit: determines that the delay time should be short in the a case where a contrast between a color at a position on said text display unit and a color of characters in the text message is large, such that the user's attention is drawn to the position on said text display unit as a result of the contrast; and determines that the delay time should be long in a case where the contrast is small.. (Column 2 line 15 – column 3 line 15, functions of a computer, particularly scrolling is controllable as a function of eye gaze. Clearly a color contrast would affect how long it took a user to “find” a text, and therefore affect eye gaze.)

Therefore it would have been obvious to one of ordinary skill In the art to control the determination unit of Baker and Kivimaki witch an eye gaze input as taught by Tagnazzi in order to allow for control of the computer requiring no overt actions by the user (Tagnazzi column 2 line 25).

6. Regarding claims 59 and 68 Baker teaches a voice output apparatus and method comprising:

a text display unit operable to display a text message which is information to be transmitted to a user and a voice output unit operable to output, via a voice message, the information to be transmitted (the speech recognition unit performs processing and the output of the speech recognition unit is proceeded to the human call center

operator, preferably by way of text proved on a display and at the same time (or just before or after the text is provided on the display) the caller's recorded utterances are audibly provided to the human call center operator, (Paragraph 44));

However, Baker fails to teach a voice output apparatus and method comprising a delay determination unit operable to determine a delay time according to a form of the text message displayed by said text display unit wherein a voice output unit operable to output, via voice message, the information to be transmitted, when the delay time determined by said delay determination unit passes after the text message is displayed by said display unit.

Kivimaki teaches, in analogous art, the concept of inserting a delay into a text to speech system wherein the delay can be varied in dependence on the number of words and characters in a text group (Column 6 lines 9-14 and lines 47-52) The delay of Kivimaki meets the two requirements of the claims; requirement 1) because even if the delay is based on processing speed of the text to speech conversion, this will be affected by the number of words that are displayed, which is part of the form. It is not specifically stated how the delay time in requirement 2) is determined and therefore this requirement is non-functional descriptive language. Given this interpretation, A delay based on processing times, as the applicant has stated as the teaching of Kivimaki, could in fact be equal to a time necessary for a user to visually identify the message, meeting the requirement of the claim.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to further include the concept of varied delay disclosed

in Kivimaki with the voice output apparatus disclosed in Baker in order to make the system more user friendly by allowing the user to read the entire text message without interruption. More specifically, the delay would control the time period "just after" the text provided on the screen is displayed at which time the "caller's recorded utterances are audibly provided" and the display mode corresponds to the length of the text displayed. While the examiner understands that Kivimaki outputs the voice in "blocks," it is noted that all of these blocks occurs after the first delay, and therefore meets the requirement that the entire representation be outputted only after the delay.

Baker and Kivimaki do not teach:

wherein said delay determination unit: determines that the delay time should be short in a case where a degree of flashing characters in the text message displayed by the text display unit is high; and determines that the delay time should be long in a case where the degree of flashing is low.

In the same field of computer control, Tognazzi suggests wherein said delay determination unit: determines that the delay time should be short in a case where a degree of flashing characters in the text message displayed by the text display unit is high; and determines that the delay time should be long in a case where the degree of flashing is low. (Column 2 line 15 – column 3 line 15, functions of a computer, particularly scrolling is controllable as a function of eye gaze. Clearly flashing would affect how long it took a user to “find” a text, and therefore affect eye gaze.)

Therefore it would have been obvious to one of ordinary skill In the art to control the determination unit of Baker and Kivimaki witch an eye gaze input as taught by

Tagnazzi in order to allow for control of the computer requiring no overt actions by the user (Tagnazzi column 2 line 25).

7. Regarding claims 60 and 69 Baker teaches a voice output apparatus and method comprising:

a text display unit operable to display a text message which is information to be transmitted to a user and a voice output unit operable to output, via a voice message, the information to be transmitted (the speech recognition unit performs processing and the output of the speech recognition unit is proceeded to the human call center operator, preferably by way of text proved on a display and at the same time (or just before or after the text is provided on the display) the caller's recorded utterances are audibly provided to the human call center operator, (Paragraph 44));

However, Baker fails to teach a voice output apparatus and method comprising a delay determination unit operable to determine a delay time according to a form of the text message displayed by said text display unit wherein a voice output unit operable to output, via voice message, the information to be transmitted, when the delay time determined by said delay determination unit passes after the text message is displayed by said display unit.

Kivimaki teaches, in analogous art, the concept of inserting a delay into a text to speech system wherein the delay can be varied in dependence on the number of words and characters in a text group (Column 6 lines 9-14 and lines 47-52) The delay of Kivimaki meets the two requirements of the claims; requirement 1) because even if the

delay is based on processing speed of the text to speech conversion, this will be affected by the number of words that are displayed, which is part of the form. It is not specifically stated how the delay time in requirement 2) is determined and therefore this requirement is non-functional descriptive language. Given this interpretation, A delay based on processing times, as the applicant has stated as the teaching of Kivimaki, could in fact be equal to a time necessary for a user to visually identify the message, meeting the requirement of the claim.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to further include the concept of varied delay disclosed in Kivimaki with the voice output apparatus disclosed in Baker in order to make the system more user friendly by allowing the user to read the entire text message without interruption. More specifically, the delay would control the time period "just after" the text provided on the screen is displayed at which time the "caller's recorded utterances are audibly provided" and the display mode corresponds to the length of the text displayed. While the examiner understands that Kivimaki outputs the voice in "blocks," it is noted that all of these blocks occurs after the first delay, and therefore meets the requirement that the entire representation be outputted only after the delay.

Baker and Kivimaki do not teach:

a personal information obtainment that obtains an age of the user,

wherein said delay determination unit: determines that the delay time should be long in a case where the obtained age is high; and determines that the delay time should be short in a case where the obtained age is low.

In the same field of computer control, Tognazzi suggests a personal information obtainment that obtains an age of the user, wherein said delay determination unit: determines that the delay time should be long in a case where the obtained age is high; and determines that the delay time should be short in a case where the obtained age is low. (Column 2 line 15 – column 3 line 15, functions of a computer, particularly scrolling is controllable as a function of eye gaze. Clearly age would affect how long it took a user to "find" a text, and therefore affect eye gaze)

Therefore it would have been obvious to one of ordinary skill In the art to control the determination unit of Baker and Kivimaki witch an eye gaze input as taught by Tagnazzi in order to allow for control of the computer requiring no overt actions by the user (Tagnazzi column 2 line 25).

8. Regarding claims 61 and 70 Baker teaches a voice output apparatus and method comprising:

a text display unit operable to display a text message which is information to be transmitted to a user and a voice output unit operable to output, via a voice message, the information to be transmitted (the speech recognition unit performs processing and the output of the speech recognition unit is proceeded to the human call center operator, preferably by way of text proved on a display and at the same time (or just before or after the text is provided on the display) the caller's recorded utterances are audibly provided to the human call center operator, (Paragraph 44));

However, Baker fails to teach a voice output apparatus and method comprising a delay determination unit operable to determine a delay time according to a form of the text message displayed by said text display unit wherein a voice output unit operable to output, via voice message, the information to be transmitted, when the delay time determined by said delay determination unit passes after the text message is displayed by said display unit.

Kivimaki teaches, in analogous art, the concept of inserting a delay into a text to speech system wherein the delay can be varied in dependence on the number of words and characters in a text group (Column 6 lines 9-14 and lines 47-52) The delay of Kivimaki meets the two requirements of the claims; requirement 1) because even if the delay is based on processing speed of the text to speech conversion, this will be affected by the number of words that are displayed, which is part of the form. It is not specifically stated how the delay time in requirement 2) is determined and therefore this requirement is non-functional descriptive language. Given this interpretation, A delay based on processing times, as the applicant has stated as the teaching of Kivimaki, could in fact be equal to a time necessary for a user to visually identify the message, meeting the requirement of the claim.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to further include the concept of varied delay disclosed in Kivimaki with the voice output apparatus disclosed in Baker in order to make the system more user friendly by allowing the user to read the entire text message without interruption. More specifically, the delay would control the time period "just after" the

text provided on the screen is displayed at which time the "caller's recorded utterances are audibly provided" and the display mode corresponds to the length of the text displayed. While the examiner understands that Kivimaki outputs the voice in "blocks," it is noted that all of these blocks occurs after the first delay, and therefore meets the requirement that the entire representation be outputted only after the delay.

Baker and Kivimaki do not teach:

a habituation specifying unit that obtains a number of times the user operates said voice output apparatus, wherein said delay determination unit: determines that the delay time should be short in the a case where the obtained number of operations is large; and determines that the delay time should be long in a case where the obtained number of operations is small.

In the same field of computer control, Tognazzi suggests a habituation specifying unit that obtains a number of times the user operates said voice output apparatus, wherein said delay determination unit: determines that the delay time should be short in the a case where the obtained number of operations is large; and determines that the delay time should be long in a case where the obtained number of operations is small.

(Column 2 line 15 – column 3 line 15, functions of a computer, particularly scrolling is controllable as a function of eye gaze. Clearly habbits would affect how long it took a user to “find” a text, and therefore affect eye gaze)

Therefore it would have been obvious to one of ordinary skill In the art to control the determination unit of Baker and Kivimaki witch an eye gaze input as taught by

Tagnazzi in order to allow for control of the computer requiring no overt actions by the user (Tagnazzi column 2 line 25).

9. Regarding claims 62 and 71 Baker teaches a voice output apparatus and method comprising:

a text display unit operable to display a text message which is information to be transmitted to a user and a voice output unit operable to output, via a voice message, the information to be transmitted (the speech recognition unit performs processing and the output of the speech recognition unit is proceeded to the human call center operator, preferably by way of text proved on a display and at the same time (or just before or after the text is provided on the display) the caller's recorded utterances are audibly provided to the human call center operator, (Paragraph 44));

However, Baker fails to teach a voice output apparatus and method comprising a delay determination unit operable to determine a delay time according to a form of the text message displayed by said text display unit wherein a voice output unit operable to output, via voice message, the information to be transmitted, when the delay time determined by said delay determination unit passes after the text message is displayed by said display unit.

Kivimaki teaches, in analogous art, the concept of inserting a delay into a text to speech system wherein the delay can be varied in dependence on the number of words and characters in a text group (Column 6 lines 9-14 and lines 47-52) The delay of Kivimaki meets the two requirements of the claims; requirement 1) because even if the

delay is based on processing speed of the text to speech conversion, this will be affected by the number of words that are displayed, which is part of the form. It is not specifically stated how the delay time in requirement 2) is determined and therefore this requirement is non-functional descriptive language. Given this interpretation, A delay based on processing times, as the applicant has stated as the teaching of Kivimaki, could in fact be equal to a time necessary for a user to visually identify the message, meeting the requirement of the claim.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to further include the concept of varied delay disclosed in Kivimaki with the voice output apparatus disclosed in Baker in order to make the system more user friendly by allowing the user to read the entire text message without interruption. More specifically, the delay would control the time period "just after" the text provided on the screen is displayed at which time the "caller's recorded utterances are audibly provided" and the display mode corresponds to the length of the text displayed. While the examiner understands that Kivimaki outputs the voice in "blocks," it is noted that all of these blocks occurs after the first delay, and therefore meets the requirement that the entire representation be outputted only after the delay.

Baker and Kivimaki do not teach:

a habituation specifying unit that obtains an operation time during which the user operates said voice output apparatus, wherein said delay determination unit: determines that the delay time should be short in the a case where the obtained operation time is

long; and determines that the delay time should be long in a case where the obtained operation time is short..

In the same field of computer control, Tognazzi suggests a habituation specifying unit that obtains an operation time during which the user operates said voice output apparatus, wherein said delay determination unit: determines that the delay time should be short in the a case where the obtained operation time is long; and determines that the delay time should be long in a case where the obtained operation time is short (Column 2 line 15 – column 3 line 15, functions of a computer, particularly scrolling is controllable as a function of eye gaze. Clearly habbits would affect how long it took a user to "find" a text, and therefore affect eye gaze).

Therefore it would have been obvious to one of ordinary skill In the art to control the determination unit of Baker and Kivimaki witch an eye gaze input as taught by Tagnazzi in order to allow for control of the computer requiring no overt actions by the user (Tagnazzi column 2 line 25).

10. Regarding claims 63 and 72, Baker in view of Kivimaki teaches the limitations of claims 57 and 66. Brackett further teaches a voice output apparatus and method wherein said text display unit is operable to display an agent as the focal point (a display could also give an alarm wherein the alarm may be by way of a visual signal such as an icon (Column 5 lines 30-41).

## *Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DOUGLAS C. GODBOLD whose telephone number is (571)270-1451. The examiner can normally be reached on Monday-Thursday 7:00am-4:30pm Friday 7:00am-3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on (571) 272-7602. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DCG

/Richemond Dorvil/
Supervisory Patent Examiner, Art Unit 2626